

### **CR 3. COMMENCEMENT OF ACTION**

**(a) Civil Cover Sheet Required.** Every complaint shall be accompanied by a Civil Cover Sheet, Form JS-44 revised. Form JS-44 revised with instruction sheet may be obtained from the clerk.

**(b) Proceedings In Forma Pauperis.** At the time application is made under 28 U.S.C. § 1915 or other applicable acts of Congress, for leave to commence any civil action or to file any petition or motion without being required to prepay fees and costs or give security for them, each petitioner, movant or plaintiff shall:

- (1) Complete the in forma pauperis affidavit approved for use in this district; and
- (2) File a written consent that the recovery, if any, in the action, to such amount as the court may direct, shall be paid to the clerk who may pay therefrom all unpaid fees and costs taxed against the plaintiff, and to his attorney the amount which the court allows or approves as compensation for the attorney's services.
- (3) In all proceedings in forma pauperis, for a writ of habeas corpus, or under 28 U.S.C. § 2255, the marshal shall pay all fees of witnesses for the party authorized to proceed in forma pauperis, upon the certificate of the judge.

[Effective May 1, 1992; amended effective July 1, 1997; January 1, 2002.]